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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,156	11/19/2001	Toru Owada	TSM-17	8169
<div>7590 01/23/2008 MATTINGLY, STANGER &amp; MALUR, P.C. ATTORNEYS AT LAW SUITE 370 1800 DIAGONAL ROAD ALEXANDRIA, VA 22314</div>			<div>EXAMINER BROWN, CHRISTOPHER J</div>	
			<div>ART UNIT 2134</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 01/23/2008</div>	<div>DELIVERY MODE PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/988,156

Applicant(s)

OWADA ET AL.

Examiner

Christopher J. Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2 and 6-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2, 6-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

The Request for Continued Examination has been accepted and entered.

### *Response to Arguments*

Applicant's arguments with respect to claims 2, and 6-20 have been considered but are moot in view of the new ground(s) of rejection in view of Torrubia-Saez US 6,966,002, and Demos US 6,957,350.

Applicant's amendment of "contaminated state" must be read with the broadest reasonable interpretation since there is no concrete definition in the instant specification.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2, 6, 7, 10, 13, 14, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graunke US 2003/0005285 in view of Torrubia-Saez US 6,966,002**

As per claims 2, and 10, Graunke teaches a distribution system for media, [0013].

Graunke teaches digital content distributing system having digital content and encrypting it with a first shared key with a processing apparatus, [0014], [0016], [0028]. Graunke teaches decrypting the data at a processing apparatus and reencrypting the data with a second shared key with the output device, [[0020], [0021], [0028]. Graunke teaches the output device decrypts and displays the digital content. [0028]. Graunke teaches that the digital content is content for protection from unauthorized use [0004], [0013]. Graunke fails to teach an encrypted file with an unencrypted portion.

Torrubia-Saez teaches dividing the content into blocks some of which are encrypted and a remainder of which are not encrypted (portions of a picture or frequencies of an MP3) (Col 6 line 45 to Col 7 line 18). It would have been obvious to one of ordinary skill in the art to use the encryption method of Torrúbia-Saez with the system of Graunke because it prevents class attacks (Col 1 lines 20-40).

As per claim 7, Graunke-Torrubia-Saez teaches the output unit is a sound reproducing unit, and the data is encrypted audio data, [Graunke 0014], [Graunke 0021].

As per claims 6, 13, and 14, Graunke teaches a distribution system for media, [0013].

Graunke teaches digital content distributing system having digital content and encrypting it with a first shared key with a processing apparatus, [0014], [0016], [0028]. Graunke teaches decrypting the data at a processing apparatus and reencrypting the data with a

second shared key with the output device, [[0020], [0021], [0028]. Graunke teaches the output device decrypts and displays the digital content. [0028]. Graunke teaches distributing a variety of content [0014]. Graunke fails to teach an encrypted file with an unencrypted portion.

Torrubia-Saez teaches dividing the content into blocks some of which are encrypted and a remainder of which are not encrypted (portions of a picture or frequencies of an MP3) (Col 6 line 45 to Col 7 line 18). It is well known that to encrypt a block that encryption is controlled. It is well known that an mp3 file is of an audiovisual sense.

As per claims 17, and 18 Graunke does not teach partial encryption.

Torrubia-Saez teaches dividing the content into blocks some of which are encrypted and a remainder of which are not encrypted (frequency bands of an MP3) (Col 7 line 4 to Col 7 line 18, Figure 4B). Torrubia-Saez teaches encrypting either an upper frequency band or a lower frequency band of at least two data sets where the other set is not encrypted (Fig 4B).

**Claims 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graunke US 2003/0005285 in view of Torrubia-Saez US 6,966,002 in view of Van Eck US 4,669,117.**

As per claims 8 and 11, Graunke-Torrubia-Saez teaches encrypting video [Graunke 0014]. It is well known that to encrypt a block that encryption is controlled. Graunke- Torrubia-Saez fails to teach encrypting by line or column.

Van Eck teaches encrypting video by line, (Col 1 lines 56-60, Claim 3).

It would have been obvious to one of ordinary skill in the art to combine the video of Graunke-Torrubia-Saez by column so that the output device would be protected against illicit looking at the display, (Van Eck Col 1 lines 50-54).

**Claims 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graunke US 2003/0005285 in view of Torruria-Saez US 6,966,002 in view of Virga US 5,321,749.**

As per claims 9 and 12, Graunke- Torruria-Saez teaches encrypting video [Graunke 0014].

It is well known that to encrypt a block that encryption is controlled. Graunke- Torruria-Saez fails to teach encrypting by pixel.

Virga teaches encrypting video by pixel, (Col 10 lines 40-46).

It would have been obvious to one of ordinary skill in the art to encrypt the video of Graunke-Torruria-Saez by the pixel method of Virga because the encrypted pixels obfuscate the video.

**Claims 15, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graunke US 2003/0005285 in view of Torruria-Saez US 6,966,002 in view of Demos US 6,957,350.**

As per claims 15,16,19, and 20 Graunke-Torrubia-Saez teaches encrypting video [Graunke 0014]. It is well known that to encrypt a block that encryption is controlled. Graunke-Torrubia-Saez fails to teach encrypting by compression or frame.

Demos teaches encryption of video by compression frame (encryption of I frame, P frame, B frame) (Col 22 line 53 to Col 24 line 50, Table7, Table 8).

It would have been obvious to one of ordinary skill in the art to use the method of Demos to reduce encryption/decryption processing time.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571)272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

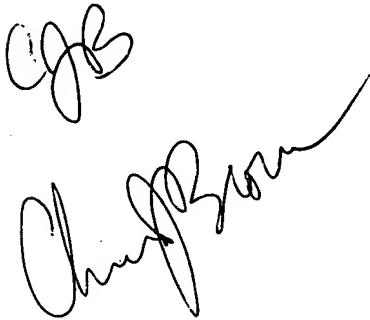
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Christopher J. Brown

1/16/08

The image shows two handwritten signatures. The top signature is a stylized, cursive 'CJB'. The bottom signature is a more formal, cursive signature that appears to read 'Christopher J. Brown'.